

FILED

STATE OF INDIANA FEB 14 2001 IN THE OWEN COUNTY CIRCUIT COURT
COUNTY OF OWEN) SS: Julie Bandy VC NO. 01-016
Clerk, Owen Circuit Court

IN RE: ROBERT LAKE, individually) MISCELLANEOUS DOCKET
and doing business as, Lakes) NO. 10001 0102 m 1066
Auto Sales,)
Respondent.)

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Mary Ann Wehmueller, and the Respondent, Robert Lake, individually and doing business as Lakes Auto Sales, enter into an Assurance of Voluntary Compliance (Assurance) pursuant to Indiana Code §24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law, and upon consent of the parties.

The parties agree:

1. Respondent is an individual engaged in the sale of used automobiles, with a principal place of business at 257 Sunnyside Lane, Spencer, Indiana 47460, and transacts business with Indiana consumers.
2. The terms of this Assurance apply to and are binding upon Respondent, his employees, agents, representatives, successors, and assigns.
3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*
4. Respondent, in soliciting and/or contracting with consumers, shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in

writing, as to the characteristics and/or benefits relating to vehicle financing unless Respondent actually intends to provide and, in fact, provides financing as represented.

5. Respondent, in issuing any financial disclosure statements, agrees to fully comply with closed end credit disclosure requirements of the Truth-in-Lending Act, 15 U.S.C. §1638 and Federal Reserve Board Regulation Z, 12 C.F.R. §226.17 and 12 C.F.R. §226.18, as required by Ind. Code §24-4.5-2-301. This includes, but is not limited to, using the appropriate credit sale form prescribed by 12 C.F.R. §226.18, accurately disclosing the annual percentage rate, the amount financed, the dollar amount of any finance charge imposed, the total of payments and the total sale price.

6. Respondent, in the course of entering into consumer credit sales contracts, agrees to fully comply with the Indiana Uniform Consumer Credit Code, Ind. Code §24-4.5-1 *et seq.*

7. Upon execution of this Assurance, Respondent shall pay consumer restitution in the amount of \$1,000.00 to the Office of the Attorney General on behalf of Kim Hendrix, P.O.B. 1963, Nashville, Indiana 47448.

8. Upon execution of this Assurance, Respondent shall pay costs in the amount of ~~Five Hundred Dollars \$500.00~~ ^{Two Fifty 250.00} to the Office of the Attorney General. *RE MKW*

9. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

10. Respondent shall fully cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

11. The Office of the Attorney General shall file this Assurance with the Circuit Court of Owen County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

DATED this 13th day of Feb., 2001.

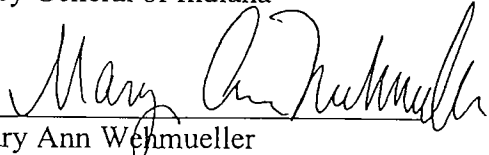
STATE OF INDIANA

RESPONDENT

STEVE CARTER
Attorney General of Indiana

ROBERT LAKE, individually and doing
business as Lakes Auto Sales,

By:


Mary Ann Wehmueeller


Robert Lake

Deputy Attorney General
Atty. No. 15251-49A
Office of Attorney General
402 W. Washington, 5th Floor
Indianapolis, Indiana 46204
Telephone: (317) 233-3973
Maw:12305

APPROVED this 14 day of Feb., 2001.



Judge, Owen County Circuit Court